

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1243 OF 2006  
IN  
CRIMINAL APPEAL NO.593 OF 2005**

Ashwini @ Soni Mukundlal Gill ...Applicant.

**Versus**

The State of Maharashtra ...Respondent.

Mr.V.V.Purwant, Advocate for the Applicant.  
Mr.Rajesh More, APP for the State.

CORAM : SMT.V.K.TAHILRAMANI, J.  
DATED : DECEMBER 18, 2006.  
(IN CHAMBER, 2:35 P.M.)

P.C.:

1. Heard Mr.Purwant, the learned Advocate for the applicant and Mr.More, the learned A.P.P. for the State.

2. The applicant has been convicted under Section 307 of IPC. By order dated 11th October, 2006 the applicant was granted temporary bail on account of operation of his father. The father of the applicant is suffering from "valve prolapse" and some other ailments and he requires urgent cardiac surgery. However, during the period of

six weeks that the applicant was on bail, the operation of his father could not be performed as the father of the applicant was found to be suffering from Anaemia and some other complications. Mr.Purwant, the learned Advocate for the applicant states that as the operation could not take place, the applicant instead of asking for extension of bail surrendered back to jail on 30th November, 2006 and at present the applicant is in Yerwada Central Prison, Pune. It is an admitted fact that when the applicant was released on temporary bail, he has not misused the liberty granted to him.

3. Mr.Purwant, the learned Advocate for the applicant has submitted that now the father of the applicant would undergo cardiac surgery at the end of December, 2006. To that effect, Mr.Purwant has tendered medical certificate dated 11th December,2006. The same is taken on record and marked "X" for identification.

4. Looking to the above facts and circumstances of the case, I am inclined to grant

temporary bail to the applicant. Hence the order:

**ORDER**

I. The applicant-Ashwini @ Soni Mukundlal Gill be released on bail for a temporary period of ten weeks in the sum of Rs.15,000/- i.e. on same surety as earlier but on fresh bond.

II. The temporary bail period of ten weeks to be counted from the date of release of the applicant on bail.

III. During the period that the applicant is on bail, he shall report to Malad Police Station twice a week.

IV. After the period of ten weeks is over, the applicant shall surrender back to jail.

V. Criminal Application is disposed of.

.. (4) ..

(SMT.V.K.TAHILRAMANI, J. )